

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER G-02-041

Relating to Public Hearing to Consider Adoption of a Regulation to Establish a Distributed Generation Certification Program and a Guidance for the Permitting of Electrical Generation Technologies

WHEREAS, on November 15, 2001, the Air Resources Board (ARB or Board) conducted a public hearing to consider adoption of a proposal to establish a distributed generation certification program and a proposed guidance for the permitting of electrical generation technologies by air pollution control and air quality management districts;

WHEREAS, following the public hearing on November 15, 2001, the Board adopted Resolution 01-49, in which the Board approved adoption of new sections 94200-94214, in article 3, subchapter 8, chapter 1, division 3 of title 17, California Code of Regulations (CCR).

WHEREAS, in Resolution 01-49, the Board directed the Executive Officer to incorporate into the approved adoption the modifications described above, with such other conforming modifications as may be appropriate, and then to adopt the modified amendments, after making the modified regulatory language available for public comment for a period of 15 days, provided that the Executive Officer shall consider such written comments regarding the modified text as may be submitted during this period, shall make modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if he determines that this is warranted;

WHEREAS, on March 11, 2002, the modified regulations, reflecting the amendments approved by the Board and other changes made to best reflect the intent of the Board at the hearing, were made available for public comment for a period of 15 days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44; and

WHEREAS, a number of written comments were received during the 15-day comment period and those comments have been considered by the Executive Officer.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 01-49 are incorporated by reference herein.

IT IS FURTHER ORDERED in accordance with Resolution 01-49, the adoption of new sections 94200-94214, in article 3, subchapter 8, chapter 1, division 3 of title 17, California Code of Regulations (CCR) are adopted as set forth in Attachment 1 hereto.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2002, at Sacramento, California.

Michael P. Kenny  
Executive Officer

Attachment